

DOCKET NO. UT-990146
TELECOMMUNICATIONS RULEMAKING WORKSHOP
APRIL 11, 2000

ATTENDEES:

Glenn Harris, Sprint
Chris Crowe, PacWest
Joan Stout MCI WorldCom
Don Dennis, CenturyTel
Rick Finnigan, WITA
Greg Kopta, Nextlink, ELI, ATG, NorthPoint, Focal, GST
Robert Cromwell, Public Counsel
Ron Roseman, AARP
Teresa Jensen, U S WEST
Holly Dean, U S WEST
Judy Endejan, GTE
Joan Gage, GTE
Ron Gayman, AT&T
Audrey Paulsen, CenturyTel
Barb Brumley, CentruyTel

WUTC STAFF:

Sondra Walsh, Rule Lead
Steve King, Facilitor
Shannon Smith
Vicki Elliott
Bob Shirley
Mary Taylor

480-120-041 AVAILABILITY OF INFORMATION

Summary of Comments: Staff would like additional comments on the issue of a confirming service notice and how that might be accomplished and the problems you might see with that.

References to the Federal Rules and the Statute to provide what, in your view, are adequate customer protections.

Staff would like comments about providing information electronically to customers.

480-120-042 DIRECTORY SERVICE

Summary of Comments: Staff would like comments on the issue of cost recovery and the issue of the intercept service and when it would be paid for by the company and when it would be paid for by the customer.

Subsection 7-Once staff has an idea of what the companies concerns are, they will look at the language to see if it can be changed.

Staff would like comments on clarifying what should go into handling charges, what should be under that that you can charge for additional directories.

Staff would like comments detailing the intercept service and who should pay under what circumstances.

Staff will look at proposed language submitted by U S WEST on handling charges that was not included in comment summary.

480-120-056 ESTABLISHMENT OF CREDIT

Summary of comments: Staff identified two changes they expect to make in next draft outright. 2A to change "full time employment" to some other language to reflect current employment patterns. Staff will change 3A in it's entirety.

Under 4, Staff would like additional comments on if there are alternative ways to accomplish the goal of staff's effort to make sure that you're only collecting deposits for IXC's that have authority to collect them.

Under 6, the required deposit amounts, there are three items that staff was addressing. Is there a way to break those apart and address them in a way that's more easily understood and clearer?

The issue of toll restriction and specifically the gap between a gap that's created between toll and no coverage for local services.

And staff will address Sprint's concern under refunds of deposits and will try to work on the language under 14 to make sure that doesn't mean cash in hand at a business office.

480-120-057 DEPOSIT OR SECURITY - INTEREXCHANGE TELECOMMUNICATIONS COMPANIES - RESELLERS

Summary of comments: Staff is going to reform the rule and put section 2 first then section 1 to be clearer. That will be subject to the comments staff gets from the stakeholders of whether this rule is needed. And whether a rule would be useful in making sure that the companies protect

the residential ratepayers from having to cover losses to IXC's (resellers).

Staff would like comments on the issue of whether it applies in today's market. There was a question about whether this applies to resellers and locals, also, to the extent that that wasn't clear in comments when you read it before and you have concerns about it.

Staff would like comments on the disconnection of IXC's. Will get into that also in 480-120-081 Discontinuance of Service discussion.

Staff will try to clarify that these rules apply to end user customers and not to carriers. And applies, in a broader context, to all of these rules.

Staff will look at clarifying 480-120-081 in light of deposits.

480-120-061 REFUSAL OF SERVICE

Summary of comments: There was a lot of discussion about 7 and 8, the circumstance under which identification can be requested. There's several sides to this discussion and Staff would like comments on how better to frame this issue so that we balance the interests of the companies versus the interests of the customers not to be unduly inconvenienced. The current language doesn't get that.

Staff would like to clarify comments on issue of service suspension versus final bill. It was the staff's intention to capture service suspension, not the rendering of the final. Staff would like comments on that, as well.

Staff is going to add a definition for information delivery service in sub 4.

Staff will look for information from stakeholders about the number portability issue, whether that should be part of this rulemaking or a separate rulemaking.

480-120-087 TELEPHONE SOLICITATION

Summary of comments: Staff will look at the issue of why local exchange companies only and the issue of whether the requirement for direct insert as

opposed to a bill message can be avoided.

480-120-088 AUTOMATIC DIALING-ANNOUNCING DEVICES

Summary of comments: Staff's intent was to take the old rule over and clarify it with no change and no addition. Staff will add back in the requirement that a company using an ADAD will register with a LEC. Staff will make sure that there is nothing new in this rule. It's not the intent to add anything new.

480-120-081 DISCONTINUANCE OF SERVICE

Summary of comments: In Section 1 staff is going to look at the need for rule and would like comments on that.

Staff is going to look at having some kind of conditional and add business and look at making it one business day if it's a central office change and something else if it's an actual field visit.

Staff would like comments on fraud.

Staff would also like comments on the issues around damage to facilities, repercussions or repayment or whether there should be a penalty. Staff is going to look at statute to see if that provided additional remedy and how we should define it without defining it.

We need comment on what a customer is. Is an interexchange carrier a customer? Is a carrier a customer? Is an ISP a customer? We need more comment on that as it relates to disconnection.

Staff would like comment on your billing and collection procedures related to staff's view that there should be distinction between in-state and out-of-state. Staff needs a better sense for what the practices are around that. How quickly you begin treatment after the bill is mailed.

Staff needs comment on the issue of notice. A lot of time was spent on the issue of whether additional telephone attempts are necessary and some way to limit the damage created by people who are "gaming" the system. The customers that you have to talk to every month.

Staff needs a definition from GTE what non-essential and features

are.

Mary Taylor will look into WTAP and how it may relate to this rule.

480-120-089 INFORMATION DELIVERY SERVICES

Summary of comments: No comments.

480-120-101 COMPLAINTS AND DISPUTES

Summary of comments: Staff will look at the issue of the length of response of two days not being long enough.

Staff has agreed they will try to rework the issue of when the customer gets notified of the Commission to better meet Public Counsel's concerns and still keep the companies support.

Staff will look at the period of retention and will consider the issue of two working days.

If stakeholders have additional information to provide on this rule comments are welcome.

480-120-106 FORM OF BILLS

Summary of comments: Staff will look to see that the rule stays consistent with the FCC rule.

480-120-116 REFUND FOR OVERCHARGE

Summary of comments: Staff will look at written comments.

480-120-121 RESPONSIBILITY FOR DELINQUENT ACCOUNTS

Summary of comments: Staff will look at incorporating this rule into 061 or at a minimum limit it just to clarify when it is applicable.

480-120-144 USE OF PRIVACY LISTINGS FOR TELEPHONE SOLICITATION

Summary of comments: Staff will look to see what opportunity there is to link this to the CPNI or clarify that one notice is required.

480-120-X07 RECONNECTING SERVICE AFTER DISCONNECTION

Summary of comments: Staff will look at setting a time parameter.

STS - SHARED TENANT SERVICE PROVIDERS

Staff would like input on whether there should be a rule developed defining what reasonable rate is. There is a segment of people that are being served by a non-regulated entity and a lot of those customers are not being afforded things like WTAP because they can't get to the Sprint's or U S WEST's by virtue of the way the company is applying it's practices. We have a statute that appears to give these customers some alternative but when you're dealing with the customers, particularly in low income housing, they don't have the ability to come to the Commission and get a determination of a reasonable rate.

CHARGING FOR USE OF PAYMENT AGENCY

Staff has concerns about a payment agency charging a customer to process a payment. That will be one thing that isn't in the proposed draft now that we will be discussing on April 18 that we would like stakeholders to be able to comment on is the basis of the dollar charge by the payment agency to process the payment.

USE OF COMMON COMPANY NAMES, LOGO'S, BILLING STATEMENTS, ETC.

When names and logos are so close customers have a difficult time telling who they're dealing with.

General Comments: Comments are due on May 12, 2000.

When Staff sends out a draft of the rules and asks for comments back, Staff asks that stakeholders explain why you are proposing either a change, deletion or insertion of language. It's very difficult for staff to know what stakeholders reasons are for changes if it is not explained and Staff doesn't want to assume what the reasoning may be. It is difficult to respond to something when we don't know why. It will be extremely important to know why especially when we get to the CR-102 stage.

Staff agreed that on the next draft that is circulated to try to identify what is new a requirement or change of intent where the purpose is to make a change from WAC 480-120 as it exists today.

Staff's intent is to have a re-draft from the three stakeholders meeting plus all the comments that have received in the interim by the end of June 2000. The SBEIS is required and that has to be done before the CR-102 is filed. The intent is to try and have the CR-102 filed in September.